

APPLICATION for VACATION # 2009-0001

[must use black ink or type]

PROPERTY LOCATION: 3110 Mount Vernon Avenue, Alexandria, Virginia

TAX MAP REFERENCE: 15.04 07 03 ZONE: CRMU-M with proffer

APPLICANT'S NAME: UDR Developers, Inc. - ATTN: Richard Giannotti

ADDRESS: 5620 Cox Road, Suite 200, Glen Allen, VA 23060

PROPERTY OWNER NAME: UDR Calvert, LLC

(Owner of abutting area to be vacated)

ADDRESS: ATTN: B & D Equity Tax Group, P.O. Box 06408, Chicago, IL 60606-6408

VACATION DESCRIPTION: See Attached.

**THE UNDERSIGNED** hereby applies for a Vacation Ordinance in accordance with the provisions of Chapter 10 of the Code of the State of Virginia, the Alexandria City Charter and City Code, and the Alexandria Zoning Ordinance.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED** also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Land, Clark, Carroll, Mendelson & Blair, P.C.

Duncan W. Blair, Esquire

*Print Name of Applicant or Agent*



*Signature*

524 King Street

*Mailing/Street Address*

703 836-1000

*Telephone #*

703 549-3335

*Fax #*

dblair@landclark.com

Alexandria, VA 22314

*City and State*

*Zip Code*

December 2, 2009

*Date*

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

**VACATION DESCRIPTION:**

UDR Developers, Inc., a Virginia corporation (the "Applicant") is requesting the City Council vacate 3,562 square feet of the Mount Vernon Avenue public right-of-way adjacent to 3110 Mount Vernon Avenue.

The portion of the Mount Vernon Avenue right-of-way that is the subject of this vacation application was dedicated to the City of Alexandria in 1959 by Helen C. Calvert, the then owner of 3110 Mount Vernon Avenue in 1959 (see Deed of Dedication, Deed Book 493, page 108). The original dedication was apparently to accommodate the future widening of Mount Vernon Avenue. The Mount Vernon Avenue public right-of-way was never widened and it is doubtful that the right-of-way will be widened in the future. As such, the 3,562 square feet of land is surplus and should be vacated and reconveyed to the Applicant without cost.

B-II, 7 and  
B-II, 8

BOOK 493 PAGE 108

THIS DEED OF DEDICATION, dated the 15th day of March, 1959, made by  
HELEN C. CALVERT, unmarried, hereinafter called the party of the first part.

W I T N E S S E T H:

WHEREAS, the party of the first part is the owner and proprietor of  
the tract of land hereinafter described, located in the City of Alexandria,  
Virginia, and

WHEREAS, the party of the first part desires to subdivide and dedicate  
the hereinafter described land in accordance with the plat attached hereto and  
expressly made a part hereof.

NOW, THEREFORE, the said party of the first part pursuant to the laws  
of the State of Virginia and the ordinances of the City of Alexandria, Virginia,  
does hereby subdivide and dedicate the hereinafter described parcel of land  
in accordance with the plat attached hereto and incorporated herein by  
reference, dated February 20, 1959 and signed by Edward S. Holland, Certified  
Land Surveyor, and approved by the appropriate authorities of the City of  
Alexandria, Virginia. The subdivision hereby made is named and designated  
"Division of the Land of Helen C. Calvert", and the said party of the first  
part does hereby dedicate to public use for street purposes the area designated  
on said plat as "0.0818 Ac. dedicated to street purposes". The said party  
of the first part further certifies that this subdivision and dedication of the  
hereinafter described land is made with the full consent and in accordance with  
the desires of the said party of the first part and she certifies that such  
statements shall have the same force and effect as if the same were endorsed  
by her on the plat attached hereto and expressly made a part hereof. The said  
land now subdivided and dedicated being more particularly described in  
accordance with said plat of subdivision as follows, to-wit:

BEGINNING at the intersection of the westerly line of Mt. Vernon  
Avenue (60 feet wide) with the southwesterly line of the W.& O.D.  
Railroad right-of-way, and running thence with the said line of  
Mt. Vernon Avenue South 8°09'09" West, 349.34 feet to a point;  
thence with a northerly line of Warwick Subdivision South 87°01'22"  
West, 756.42 feet to a point; thence with the extension of the  
easterly line of Sycamore Street South 00°45'00" West, 2.02 feet  
to a point and with the arc of a curve to the right whose radius is  
363.84 feet and whose chord bearing and chord are South 01°51'15"  
West and 14.02 feet, respectively, a distance of 14.02 feet to a  
point; thence crossing the said Sycamore Street and running with  
the northerly lines of Lots 1 and 52, Block 6 of the said Warwick  
Subdivision South 87°01'22" West, 247.41 feet to a point;

thence with the easterly line of Landover Street North 23°41'58" East, 1065.33 feet to a point in the aforesaid right-of-way line of the W.O.D. Railroad; thence with the said line South 43°05'19" East, 337.11 feet to the northerly corner of the land of the Alexandria Water Company; thence with the said land of the Alexandria Water Company South 46°54'41" West, 217.80 feet to a point; South 43°05'19" East, 200.00 feet to a point and North 46°54'41" East, 217.80 feet to the aforesaid line of the railroad; thence with the said line of the railroad South 43°05'19" East, 231.75 feet to the point of beginning, containing 11.5672 acres.

WITNESS the following signature and seal.

*Helen C. Calvert* (SEAL)  
Helen C. Calvert

STATE OF VIRGINIA,

CITY OF ALEXANDRIA, to-wit:

I, the undersigned, a Notary Public in and for the City aforesaid, State of Virginia, do hereby certify that Helen C. Calvert, whose name is signed to the writing foregoing and hereto annexed, bearing date on the 15th day of March, 1959, acknowledged the same before me in my City and State aforesaid.

Given under my hand this 5<sup>th</sup> day of June, 1959.

My commission expires on the 2<sup>nd</sup> day of September, 1959. 1962.

*[Signature]*  
Notary Public

VIRGINIA:

In the Clerk's Office of the Corporation Court of the City of Alexandria on June 8, 1959, this deed was received and with the annexed certificate, admitted to record at 10:00 A.M.

Tester

*[Signature]*  
Clerk

BOOK 493 PAGE 110

**DIVISION OF THE LAND OF  
HELEN C. CALVERT**  
ALEXANDRIA, VIRGINIA

SCALE 1"=100'

CONVEYED TO THE CITY OF ALEXANDRIA, VIRGINIA BY DEED OF DONATION, BOOK 493, PAGE 110, OF THE RECORDS OF THE CLERK OF THE SUPERIOR COURT OF THE CITY OF ALEXANDRIA, VIRGINIA.

**SURVEYOR'S CERTIFICATE**

I hereby certify that I have carefully surveyed the property delineated by this plan and that it is correct to the best of my knowledge and belief, that it is a subdivision of the land conveyed to Helen C. Calvert by Deed of Donation in Will Book 2, page 416, recorded among the land records of Arlington County, Virginia and is within the boundaries thereof, and that monuments marked thereon, and pipes marked thereon, have been placed as indicated.

*Colman C. Calvert*  
Surveyor

February 20, 1959

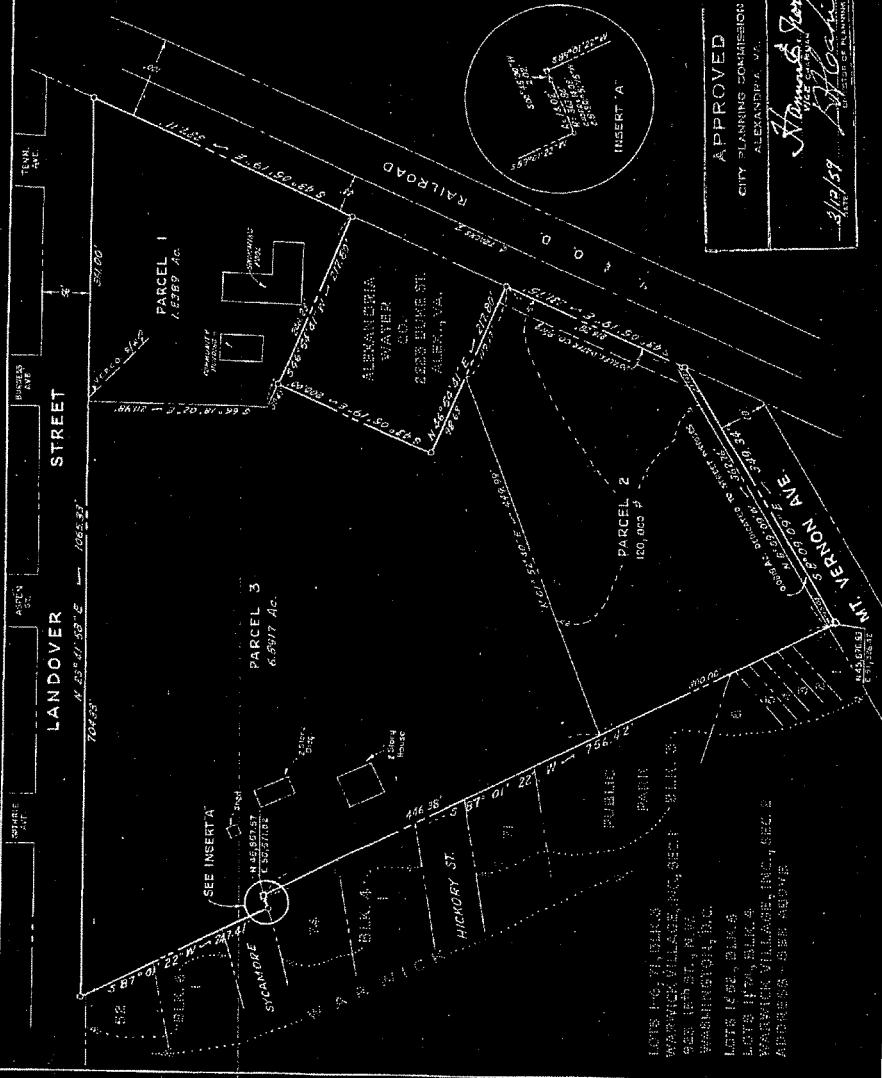
**OWNER**  
Helen C. Calvert  
310 Mt. Vernon Avenue  
Alexandria, Virginia

Total No. Parcels 3  
Total Acreal Area 11.684 AC.  
Total Street Area 0.038 AC.  
TOTAL AREA 11.722 AC.

ZONE - C2

**APPROVED**  
CITY PLANNING COMMISSION  
ALEXANDRIA, VA.  
*Thomas J. Jones*  
Vice President  
City of Alexandria  
3/12/59

**EDWARD S. HOLLAND**  
Professional Civil Engineer  
Professional Land Surveyor  
No. 12,474, State of Virginia  
Date of License 12-25-58  
Expires 12-25-63  
Scale 1"=100'  
Date Plotted 10-1-59  
Book 493, Page 110



**DESCRIPTION OF  
MOUNT VERNON AVENUE  
(PORTION TO BE ABANDONED AND VACATED)  
CITY OF ALEXANDRIA, VIRGINIA**

Being a portion of Mount Vernon Avenue previously dedicated to street purposes as recorded in Deed Book 493 at Page 108 among the Land Records of the City of Alexandria, Virginia and being more particularly described as follows:

Beginning at a point on the Westerly right-of-way line of Mount Vernon Avenue (variable width), said point also being the Southeasterly corner of Lot 9 as shown on a plat of subdivision entitled "Mount Vernon Court" as recorded in Deed Book 1569 at Page 802 among the aforesaid Land Records; thence leaving said Lot 9 and running through said right-of-way

- 1) South 09° 04' 32" East, 349.34 feet to a point; thence continuing through said right-of-way and with the Northerly line of Lot 1 as shown on a plat of subdivision entitled "Warwick Village, Section One"
- 2) South 86° 05' 59" West, 10.04 feet to a point; thence leaving said Lot 1 and running with the Easterly line of UDR Calvert, LLC as recorded in instrument number 080001527 among the aforesaid Land Records
- 3) North 09° 04' 32" West, 362.76 feet to a point on the Southwesterly line of the aforesaid Lot 9, Mount Vernon Court; thence leaving said UDR Calvert, LLC and running with the Southwesterly line of Lot 9
- 4) South 44° 00' 42" East, 17.47 feet to the point of beginning, containing 3,562 square feet or 0.08177 acres of land.

This document was prepared without the benefit of a title report which may reveal or discover easements and/or rights-of-way not described herein.